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O'MELVENY &amp; MYERS LLP

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Tuesday, 12/09/03, 4:28 PM

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**TO:**Examiner Jon P. Weber  
Group Art 1651  
USPTO**FAX NUMBER:**

703-872-9306

**TELEPHONE NUMBER:****FROM:**

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Patent  
Attorney Docket: 302,670-7  
(prev 265/072)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Mark M. Wang et al.

Serial No.: 09/993,377

Filed: November 14, 2001

For: METHOD OF SEPARATING  
PARTICLES USING AN OPTICAL  
GRADIENT (As Amended)

Group Art Unit: 1651

Examiner: Jon P. Weber

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AMENDMENT TRANSMITTAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for the above-identified application.

- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)		FEE FOR SMALL ENTITY		FEE FOR OTHER THAN SMALL ENTITY
1 month	<input type="checkbox"/>	\$55.00	<input type="checkbox"/>	\$110.00
2 months	<input type="checkbox"/>	\$205.00	<input type="checkbox"/>	\$410.00
3 months	<input type="checkbox"/>	\$465.00	<input type="checkbox"/>	\$930.00
4 months	<input type="checkbox"/>	\$725.00	<input type="checkbox"/>	\$1,440.00
5 months	<input type="checkbox"/>	\$985.00	<input type="checkbox"/>	\$1,970.00

- ☒ No extension fee is believed due at this time. However, if the Commissioner deems otherwise, please consider this a petition therefor.

CERTIFICATE OF FACSIMILE  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to (703) 872-9306 on the date shown below addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dec 9, 2003  
Date of Deposit

Denise N. Doss  
Denise N. Doss

Patent  
Attorney Docket: 302,670-7  
(prev 265/072)

**FEES FOR CLAIMS:**

☒ Applicant claims small entity status pursuant to 37 CFR 1.27.

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below

	Currently Pending	Previously Paid for	Additional Claims	Fees	Totals
Total Claims	22	- 20 =	2	x \$18.00	36.00
Independent Claims	2	- 3 =	0	x \$84.00	0
Multiple Dependent Claims	\$280	(if applicable)		<input type="checkbox"/>	0
<b>TOTAL OF ABOVE CALCULATIONS</b>					<b>36.00</b>
Reduction by 1/2 for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.					<input checked="" type="checkbox"/> 18.00
<b>TOTAL FEES FOR CLAIMS SUBMITTED HEREWITH</b>					<b>\$18.00</b>

☐ A check in the amount of \$\_\_\_\_\_ is enclosed herewith

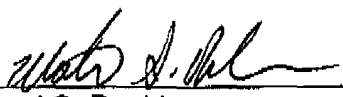
☒ Charge Deposit Account No. 50-2862 for \$18.00.

☒ The Commissioner is authorized to charge O'Melveny & Myers' Deposit Account No. 50-2862 for any fees required under 37 CFR §§ 1.16 and 1.17 that are not covered, in whole or in part, by any check enclosed herewith and to credit any overpayments to said Deposit Account 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: 12/9/03

By:   
Michael S. Davidson  
Reg. No. 43,577  
Attorneys for Applicant

MSD/dnd

Customer No.

**34263**

PATENT TRADEMARK OFFICE

IR1:1050434.1

O'Melveny & Myers LLP  
114 Pacifica, Suite 100  
Irvine, CA 92618-3315  
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Serial No.: 09/993,377

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Filed: November 14, 2001

For: METHOD OF SEPARATING  
PARTICLES USING AN OPTICAL  
GRADIENT (As Amended)AMENDMENT AND RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please amend the application as follows:

**Amendments to the Specification** are shown on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on  
page 3 of this paper.

**Remarks** begin on page 7 of this paper.CERTIFICATE OF FAX TRANSMITTAL  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via facsimile to  
(703) 872-9306 on the date shown below addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date

DEC 9, 2003

Denise Doss